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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/783,257	02/19/2004	Chang Sup Lee	2080-3232	7309
35884 7590 03/05/2009 LEE, HONG, DEGERMAN, KANG & WAIMEY 660 S. FIGUEROA STREET Suite 2300 LOS ANGELES, CA 90017				
EXAMINER PARRY, CHRISTOPHER L				
ART UNIT 2421		PAPER NUMBER		
NOTIFICATION DATE 03/05/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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### Office Action Summary

**Application No.**

10/783,257

**Applicant(s)**

LEE, CHANG SUP

**Examiner**

CHRIS PARRY

**Art Unit**

2421

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,5,8-12,14-17 and 19-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,8-12,14-17 and 19-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 1, 2, 5, 8-12, 14-17 and 19-26 have been considered but are moot in view of the new ground(s) of rejection.
2. Although a new ground of rejection has been used to address additional limitations that have been added to Claim 1, a response is considered necessary for several of applicant's arguments since reference Lu, will continue to be used to meet several claimed limitations.

In response to applicant's argument (Page 9, 2<sup>nd</sup> ¶, lines 8-17) stating Lu fails to disclose a unit for registering both the constructed digital audio/video broadcast and the constructed data broadcast on an Internet site, the examiner respectfully disagrees.

Lu discloses video server 102 receives television broadcast channels and server 102 supplies the broadcast channels to at least one Internet address 104, however many internet addresses can also be used (¶ 0026). Lu further discloses additional services such as supplementary information or "data broadcast" about a movie and a game can also be streamed along with the video streams of the broadcast channels or "digital broadcast" (¶ 0039). Thus, Lu discloses a unit (i.e., video server 102) for registering both the constructed digital broadcast (i.e., received television broadcast channels in MPEG4 format) and the constructed data broadcast (i.e., the supplementary information provided to video server 102) on an Internet site (i.e., video server can register multiple Internet addresses, see ¶s 0025-0026, 0032, and 0039).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 5, 8, 10, 11, and 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Field et al. "Field" (USPN 6,018,764) in view of Lu (US Pub. No. 2003/0041334 A1) [of record].

Regarding Claim 1, Field discloses a digital broadcasting system (figure 2, Col. 5, lines 3-22) comprising:

a transmitting means (150 – figure 2) having a means for producing data broadcasts (108—figure 2, Col. 5, lines 11-14), a first transmitting system (115 - figure 2, Col. 5, lines 9-14) for generating a digital broadcast, the digital broadcast including a digital audio/video broadcast (i.e., Programming Services 105 provides A/V data that may be carried as digital data) and a data broadcast (i.e., MUX 115 receives HTML page data from a broadcast web server 108), a second transmitting system (120 – figure 2) for constructing the digital broadcast received from the first transmitting system [115] and a data broadcast provided by the means for producing a data broadcast [108] (i.e., the programming services data and HTML page data are multiplexed at the multiplexer 115 to provide a broadcast signal to a transmitting antenna 120, the signal

may be carried as a packetized digital transport stream which conforms to, for example, the Moving Pictures Experts Group-2 (MPEG-2) standard) (Col. 5, lines 3-22).

Field is however silent on disclosing a unit for registering both the constructed digital broadcast and the constructed data broadcast on an Internet site.

In an analogous art, Lu teaches a unit (i.e., video server 102) for registering both the constructed digital broadcast (i.e., received television broadcast channels in MPEG4 format) and the constructed data broadcast (i.e., the supplementary information provided to video server 102) on an Internet site (i.e., video server can register multiple Internet addresses, see ¶s 0025-0026, 0032, and 0039). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Field to include a unit for registering both the constructed digital broadcast and the constructed data broadcast on an Internet site as taught by Lu to facilitate applying a known technique to a known device ready for improvement to yield predictable results of allowing a user to view broadcast data, such as HTML pages, on a secondary device for the benefit of minimizing interruptions to the viewing of the broadcast.

As for Claim 2, Field and Lu disclose, in particular Field teaches wherein the data broadcast is produced based on a Markup or Java® programming language (i.e., data broadcast is based on HTML) (Col. 5, lines 11-17 and Col. 4, lines 2-5).

As for Claim 5, Field and Lu disclose, in particular Lu teaches wherein the Internet site stores the digital broadcast or the data broadcast continuously produced ¶ 0026, 0028, 0030, and 0033-0034).

Regarding Claim 8, Field discloses a method for operating a digital broadcast at a transmitting unit (100 – figure 2) of a digital broadcast system (figure 2) (Col. 5, lines 3-22), the method comprising:

producing a data broadcast (i.e., broadcast web server provides HTML pages data) (Col. 5, lines 11-14);

generating the digital broadcast by using the data broadcast and a digital audio/visual broadcast (i.e., MUX 115 multiplexes received video and audio programming from Programming Services 105 and HTML page data from broadcast web server) (Col. 5, lines 3-17).

Field however fails to specifically disclose registering both the data broadcast, and the digital broadcast on an Internet site.

In an analogous art, Lu teaches registering both the data broadcast (i.e., the supplementary information provided to video server 102), and the digital broadcast (i.e., received television broadcast channels in MPEG4 format at video server 102) on an Internet site (i.e., video server 102 can register multiple Internet addresses, see ¶s 0025-0026, 0032, and 0039). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Field to include registering both the data broadcast, and the digital broadcast on an Internet site as taught by Lu for

combining prior art elements according to known methods to yield predictable results of allowing a user to view broadcast data, such as HTML pages, on a secondary device for the benefit of minimizing interruptions to the viewing of the broadcast.

As for Claim 10, Field and Lu disclose, in particular Lu teaches wherein the Internet site stores the digital audio/video broadcast or the data broadcast continuously produced (¶¶ 0026, 0028, 0030, and 0033-0034).

As for Claim 11, Field and Lu disclose, in particular Lu teaches the method according to claim 8, further comprising converting the generated digital audio/visual broadcast and the produced data broadcast into an Internet-supporting format if the generated digital audio/visual broadcast and the produced data broadcast are not in the Internet-supporting format (i.e., broadcast channels are supplied to Internet address 104 at a reduced quality by lowering the frame rate and resolution of a broadcast channel) (¶¶ 0027 and 0033).

As for Claim 21, Field and Lu disclose, in particular Lu teaches an Internet terminal (106—figure 1) for connecting to the Internet site to receive the digital audio/visual broadcast or the data broadcast (¶¶ 0028-0029 and 0034-0035).

As for Claim 22, Field and Lu disclose, in particular Lu teaches wherein the Internet terminal [106] connects to the Internet site via a browser (114 – figure 2) (¶ 0029, and 0034-0035).

As for Claim 23, Field and Lu disclose, in particular Lu teaches wherein the browser is a browser embedded in the Internet terminal [106] (¶ 0029 and 0034-0035).

As for Claim 24, Field and Lu disclose, in particular Lu teaches wherein the Internet terminal [106] is a PDA, a mobile terminal, a computer, or a home electric appliances with an Internet function (¶ 0028-0031).

As for Claim 25, Field and Lu disclose, in particular Lu teaches wherein the data broadcast or the digital audio/visual broadcast is provided upon a viewer's request (¶ 0033-0035).

5. Claims 12, 14-17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu (US 2003/0041334 A1) in view of Cameron et al. "Cameron" (US 2005/0028206 A1).

Regarding Claim 12, Lu discloses a method for operating a digital broadcast at an Internet terminal (106 – figure 1) of a digital broadcasting system (100 – figure 1), the method comprising:



connecting to an Internet site providing both a data broadcast (i.e., supplementary information about a movie and a game, ¶ 0039) and a digital broadcast, the digital broadcast including a digital audio/video broadcast and a data broadcast (i.e., the supplementary information can be streamed along with the video stream) (¶ 0029-0030, 0034, and 0037-0039);

selecting a broadcast from the digital broadcast (¶ 0035); and  
downloading and displaying the selected broadcast (¶ 0035-0039).

Although Lu discloses from a web browser 114 a user can choose a channel broadcast and activate the broadcast, Lu is silent on disclosing selecting a broadcast from the data broadcast or the digital broadcast or both.

In an analogous art, Cameron discloses selecting a broadcast from the data broadcast or the digital broadcast or both (i.e., via PC 30 or STB 22, a user can access the IPG (figure 6) to select a digital broadcast by clicking on a program cell 123 corresponding to a television broadcast or the user can select a data broadcast by selecting a program cell 123 that corresponds to a web page or the user can select both by viewing a digital broadcast using STB 22 and viewing a web page using PC 30) (¶ 0050, 0057, and 0064) and downloading and displaying the selected broadcast (¶ 0050 and 0064). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lu to include selecting a broadcast from the data broadcast or the digital broadcast or both as taught by Cameron for combining prior art elements according to known methods to yield predictable results of allowing users to access targeted multimedia/television broadcasts outside of the home.

As for Claim 14, Lu and Cameron disclose, in particular Lu teaches wherein one of the dedicated browser provided from the Internet site or a browser (114 – figure 2A) embedded in the Internet terminal [106] is used to connect to the Internet site (§ 0029 and 0037).

As for Claim 15, Lu and Cameron disclose, in particular Cameron teaches wherein the at least one data broadcast has a linked Internet site (i.e., web pages includes Internet links) (§ 0050 and 0064).

As for Claim 16, Lu and Cameron disclose, in particular Cameron teaches wherein both the digital broadcast and the data broadcast are selected (§ 0050 and 0064).

Regarding Claim 17, Lu discloses a method for operating a digital broadcasting system (100 – figure 1) (§ 0032), the method comprising the steps of:

registering at least one digital audio/visual broadcast (i.e., broadcast channel) and at least one data broadcast (i.e., supplementary information) on an Internet site (i.e., video server supplies broadcast channels and supplementary information to multiple Internet addresses) (§ 0026, 0032, and 0039);

connecting to the Internet site to select a broadcast from the at least one digital audio/visual broadcast (§ 0029-0030 and 0034-0039); and

downloading and displaying the selected broadcast (§§ 0035-0039).

Although Lu discloses from a web browser 114 a user can choose a channel broadcast and activate the broadcast, Lu is silent on disclosing selecting a broadcast from the data broadcast.

In an analogous art, Cameron discloses connecting to the Internet site (i.e., IPG) to select a broadcast from the at least on digital audio/visual broadcast and the at least one data broadcast (i.e., via PC 30 or STB 22, a user can access the IPG (figure 6) to select a digital broadcast by clicking on a program cell 123 corresponding to a television broadcast or the user can select a data broadcast by selecting a program cell 123 that corresponds to a web page) (§§ 0050, 0057, and 0064) and downloading and displaying the selected broadcast (§§ 0050 and 0064). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lu to include connecting to the Internet site to select a broadcast from the at least on digital audio/visual broadcast and the at least one data broadcast as taught by Cameron for combining prior art elements according to known methods to yield predictable results of allowing users to access targeted multimedia/television broadcasts outside of the home.

As for Claim 19, Lu and Cameron disclose, in particular Lu teaches wherein the Internet site has a plurality of digital audio/visual broadcasts or data broadcasts continuously stored (§§ 0026, 0028, 0030, and 0033-0039).

As for Claim 20, Lu and Cameron disclose, in particular Cameron teaches wherein the at least one data broadcast has a linked Internet site (i.e., pages include Internet links) (§§ 0050 and 0064).

6. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Field in view of Lu as applied to claim 8 above, and further in view of Daoud et al. "Daoud" (US 2002/0093529 A1).

As for Claim 9, Field and Lu fail to specifically disclose wherein the Internet site provides a viewer with a dedicated browser.

In an analogous art, Daoud discloses wherein the Internet site provides a viewer with a dedicated browser (§§ 0020). Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Field and Lu to include wherein the Internet site provides a viewer with a dedicated browser as taught by Daoud for the benefit of allowing a viewer to view the displayed content on the Internet site.

7. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of Cameron as applied to claim 14 above, and further in view of Daoud.

As for Claim 26, Lu and Cameron fail to specifically disclose downloading and installing the dedicated browser, if the dedicated browser exists in the Internet site.

In an analogous art, Daoud discloses downloading and installing the dedicated browser, if the dedicated browser exists in the Internet site (§§ 0020). Accordingly, it

would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lu and Cameron to include downloading and installing the dedicated browser, if the dedicated browser exists in the Internet site as taught by Daoud for the benefit of allowing a viewer to view the displayed content on the Internet site.

### ***Conclusion***

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **CHRIS PARRY** whose telephone number is (571) 272-

Art Unit: 2421

8328. The examiner can normally be reached on Monday through Friday, 8:00 AM EST to 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN MILLER can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John W. Miller/  
Supervisory Patent Examiner, Art Unit 2421

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